

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, January 13, 1944

The City Council convened in Regular Session, at the regular meeting place in the Council Chamber at the Municipal Building, on Thursday, January 13, 1944, at 11:20 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen Bartholomew, Gillis, and Mayor Miller; absent, Councilmen Alford and Wolf.

There were present also: Walter E. Seaholm Acting City Manager; J. E. Motheral, City Engineer; and J. M. Patterson, Jr., Acting City Attorney.

Upon motion, duly seconded and carried, the reading of the minutes was dispensed with.

Mayor Miller announced that the vacancy existing on the Board of Equalization by reason of the recent death of a member would now be filled.

Councilman Gillis then moved that, subject to his qualifying under the provisions of the City Charter, Rickey Key be appointed as a member of the Board of Equalization for the unexpired term of John B. Pearson, deceased, ending May 1, 1944. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The appeal of Benjamin Leslie Armstrong, colored, 1001 East 13th Street, on his application for renewal of his taxicab driver's permit, which had been denied, was heard. After considering the appeal, it was moved by Councilman Gillis that, upon the recommendation of the Chief of Police, applicant be granted a permit to drive a taxicab on ninety days probation. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

Councilman Bartholomew offered the following resolution, which was unanimously adopted by the City Council:

(RESOLUTION)

JOHN B. PEARSON, one of Austin's most respected citizens, was taken by death December 25, 1943. He was born April 8, 1866, in Missouri and came to Texas in 1890, where he settled at Hallettsville. He moved to Austin in 1908 to become associated with W. B. Walker & Sons in the wholesale grocery business.

During his active participation in business life, he was prominently identified with banking and commercial enterprises in Austin. At the time of his death, although retired from active business life, he was Vice-President of the Fidelity State Bank and a member of its Board of Directors. In 1935 he accepted an appointment to the City of Austin's Board of Equalization and remained a member until his death.

John B. Pearson enjoyed the friendship and confidence of all who knew him and was respected for his sincerity, good judgment, and unselfish devotion to the welfare of the City of Austin; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council joins with the people of Austin in mourning the death of John B. Pearson, knowing that in his death we have suffered the loss of a beloved citizen and a good friend whose generous and untiring service to his community will long be remembered. Be it further resolved that in token of our gratitude and respect a copy of his resolution be entered in the minutes of the City Council and that a copy of this resolution, signed by the members of the City Council, be sent to Captain John B. Pearson, Jr., to whom and to other members of the family we extend our sincerest condolence.

The following resolution was introduced by Councilman Gillis:

(RESOLUTION)

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be, and the same is hereby, permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in SALINA STREET from a point 587 feet south of Rosewood Avenue southerly 76 feet, the centerline of which gas main shall be 6½ feet west of, and parallel to, the east property line of said Salina Street.

Said gas main described above shall have a cover of not less than 2½ feet.

(2) A gas main in EAST THIRTEENTH STREET from a point 224 feet west of Olander Street westerly 33 feet, the centerline of which gas main shall be 28 feet south of, and parallel to, the north property line of said East 13th Street.

Said gas main described above shall have a cover of not less than 2½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacements of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

Upon motion of Councilman Gillis, the foregoing resolution was adopted by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The following resolution was introduced by Councilman Bartholomew:

(RESOLUTION)

WHEREAS, the Texas Public Service Company has conducted a leakage survey on Nueces Street from the south line of West 23rd Street to a point 18 feet south of the north line of West 24th Street; and

WHEREAS, numerous gas leaks were found which are hazardous to the general public; and

WHEREAS, the Texas Public Service Company has requested permission to cut the pavement in the aforementioned block at twelve-foot intervals in order to repair leaks at each bell joint and also to cut the pavement and sidewalk area at all service locations in order to make the necessary repairs to their gas main; and

WHEREAS, said Company has agreed to repair said street and sidewalk area in accordance with the direction of the City Engineer, and to pay all expenses incidental to the restoration of said pavement and sidewalk area; and

WHEREAS, said request has been reviewed and considered by the City Council of the City of Austin; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Texas Public Service Company be permitted to cut the pavement in Nueces Street from the south line of West 23rd Street to a point 18 feet south of the north line of West 24th Street at twelve-foot intervals in order to repair leaks at each bell joint and also to cut the pavement and sidewalk area at all service locations in order to make the necessary repairs to their gas main.

Upon motion of Councilman Bartholomew, the foregoing resolution was adopted by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The application of Ben M. Spears, 1802 East Side Drive, for a renewal of his taxicab driver's permit, duly approved by the Acting City Manager et al, was submitted. Councilman Bartholomew, moved that the application be granted. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The application of Milton C. Bible, 901 Dawson Road, for a renewal of his taxicab driver's permit, duly approved by the Acting City Manager et al, was submitted. Councilman Bartholomew moved that the application be granted. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The application of George Lee Owens, 322 Capitol Hotel, for a taxicab driver's permit, duly approved by the Acting City Manager et al, was submitted. Councilman Gillis moved that the permit be granted. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The application of Odey Shaw, 401 West 39th Street, for a taxicab driver's permit, duly approved by the Acting City Manager et al, was submitted. Councilman Gillis moved that the permit be granted. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The application of Ernest Edward Mitchell, 5100 Avenue H, for a taxicab driver's permit, duly approved by the Acting City Manager et al, was submitted. Councilman Gillis moved that the permit be granted. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The application for transfer of Taxicab License, City of Austin Permit No. 49, from Mrs. Walter Lee Carter to George Knox, colored, issued on a 1940 Model Hudson Sedan, Motor No. 4173208, State License No. N-25774, recommended for approval by the Acting City Manager et al, was submitted. Councilman Gillis moved that the application be granted. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The Acting City Manager submitted a list in tabular form of city-owned property on Lamar Boulevard between 6th and 12th Streets, prepared by the Engineering Department, which the City proposes to sell. After some discussion, it was moved by Mayor Miller that the City Council designate Thursday, February 17, at the regular meeting thereon, as the time for receiving bids from Austin's realtors or individuals for the purchase of said property, the City reserving the right to reject any or all bids. The motion carried by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The following resolution was introduced:

(RESOLUTION)

WHEREAS, it has been determined that the assessment for taxes for the year 1943, against the improvements on the East 57½ feet of Lot 10 and the West 2½ feet of Lot 11, Block 27, Pemberton Heights, assessed at \$3,000.00 in the name of Bert S. Williams, is excessive, and that same should be corrected;

THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the assessment for taxes on the above mentioned improvements for the year 1943 be, and the same is hereby, reduced and corrected from the present assessed value of \$3000.00 to \$2700.00, and that the City Assessor and Collector of taxes is authorized and directed to make such change in the tax rolls.

The foregoing resolution was adopted by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The following resolution was introduced:

(RESOLUTION)

WHEREAS, it has been determined that the assessment for taxes for the year 1943 against merchandise of Thos. J. Lipton, Inc., of Hoboken, New Jersey, situated in the Austin Fireproof Warehouse Company, in Austin, Travis County, Texas, is excessive, and that same should be corrected; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the assessment for taxes on the above mentioned merchandise for the year 1943 be, and the same is hereby, reduced and corrected from the present assessed value of \$2588.64 to \$1725.00, and that the City Assessor and Collector of taxes is authorized and directed to make such change in the tax rolls.

The foregoing resolution was adopted by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

The following resolution was introduced:

(RESOLUTION)

WHEREAS, it has been determined that the assessment for taxes for the year 1943 against the merchandise inventory assessed in the name of Thomas J. North, dba the North Plumbing Company, in the City of Austin, Travis County, Texas, is excessive, and that same should be corrected; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the assessment for taxes on the above mentioned merchandise for the year 1943 be, and the same is hereby, reduced and corrected from the present assessed value of \$1,000.00 to \$100.00, and that the City Assessor and Collector of taxes is authorized and directed to make such change on the tax rolls.

The foregoing resolution was adopted by the following vote: "Ayes," Councilmen Bartholomew, Gillis, and Mayor Miller; "Nays," none; Councilmen Alford and Wolf absent.

There being no further business, upon motion, seconded and carried, the meeting was recessed at 1:00 P. M., subject to call of the Mayor.

APPROVED:

Tom Miller
MAYOR

ATTEST:

Shelley McTeer
CITY CLERK